



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

February 24, 2009

IN REPLY PLEASE  
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION TO VACATE A PORTION OF ALLEY EAST OF  
NORMANDIE AVENUE AND NORTH OF 105TH STREET  
UNINCORPORATED COMMUNITY OF WESTMONT  
PUBLIC HEARING  
(SUPERVISORIAL DISTRICT 2)  
(3 VOTES)**

**SUBJECT**

This action is to vacate a portion of the alley east of Normandie Avenue and north of 105th Street in the unincorporated community of Westmont, which is no longer needed for public use; the vacation has been requested by the Los Angeles County Community Development Commission, the underlying fee owner, to permit development of a 60-unit affordable housing project.

**AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt the Resolution to Conditionally Vacate with Reservations a portion of Alley east of Normandie Avenue and north of 105th Street, pursuant to Section 8324 of the California Streets and Highways Code, after finding that:
  - a. A portion of the alley is no longer needed for present or prospective public use and is not useful as a nonmotorized transportation facility, as required by Section 892 of the California Streets and Highways Code.

- b. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the California Streets and Highways Code.
2. Upon approval, authorize the Department of Public Works to record the certified original resolution in the office of the Registrar-Recorder/County Clerk.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to vacate a portion of the alley east of Normandie Avenue and north of 105th Street (Easement), since it will no longer serve the purpose for which it was dedicated and will no longer be required for public use after all conditions stated hereon have been met to the satisfaction of the Department of Public Works (Public Works).

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Fiscal Responsibility (Goal 4) and Community Services (Goal 6). The vacation of the Easement will eliminate unnecessary maintenance cost. Also, by allowing the alley to merge with the adjoining properties, the underlying fee owners will be allowed to improve these properties thereby improving the quality of life for the residents in the area.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The vacation processing fee has been waived, as this is a Community Development Commission (CDC) initiated action; CDC owns the underlying fee. The waiver of the fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), as prescribed in Section 22.60.135 of the Los Angeles County Code and Section 8321(f) of the California Streets and Highways Code.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The area to be vacated contains approximately 1,103 square feet and is shown on the map attached to the attached Resolution to Conditionally Vacate with Reservations a portion of the alley east of Normandie Avenue and north of 105th Street (Resolution). As a condition of this vacation, the CDC, as the underlying property owner, will be

dedicating an area of approximately 6,255 square feet to the County of Los Angeles (County) for public road and highway purposes.

The County's interest in the Easement was acquired in 1905 by dedication on the map of Original Sunnyside, recorded in Book 7, page 171, of Maps, in the office of the Registrar-Recorder/County Clerk as an easement for alley purposes.

National Community Renaissance, on behalf of the Community Development Commission (CDC), the underlying fee owner, is requesting your Board initiate proceedings for the vacation of the Easement pursuant to California Streets and Highways Code Section 8320(a)(1). The vacation will allow multiple lots to be merged for the development of a 60-unit affordable housing project (105th and Normandie Seniors Housing Project). The vacation provides for the dedication of right of way for the reconfiguration and realignment of the alley to maintain traffic circulation in the area.

The proposed vacation is conditioned upon the applicant complying with the following:

1. That CDC dedicate the following to the satisfaction of Public Works:
  - a. Five feet of additional right of way on the south side of 104th Street (30 feet from center line).
  - b. Fifteen feet from the center line on the south side of the alley south of 104th Street, plus additional variable width right of way to accommodate the proposed knuckle.
  - c. A new alley, 28 feet wide, east of Normandie Avenue, to provide access from 104th Street to the existing alley south of 104th Street.
  - d. Vehicular access rights along the east side of Normandie Avenue.
2. Construct a new 28-foot alley east of Normandie Avenue, including drainage devices, to the satisfaction of Public Works.
3. Construct alley widening, including the knuckle, along the existing alley south of 104th Street, to the satisfaction of Public Works.
4. Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on streets within the 105th and Normandie Seniors Housing Project.

The above conditions must be successfully met to the satisfaction of Public Works within three years of the date this Resolution is adopted by your Board or the vacation will terminate and become null and void.

Adoption of the attached Resolution and the subsequent recordation, when the conditions have been satisfied, will terminate the County's rights and interest in the Easement. Your action will also result in the properties being unencumbered of the Easement and available to the property owner for use without restriction of the Easement. The dedication will allow for the reconfiguration and realignment of the alley to connect to 104th Street.

#### **ENVIRONMENTAL DOCUMENTATION**

On November 6, 2007, your Board adopted the Environmental Assessment/Mitigated Negative Declaration (EA/MND) prepared for the 105th and Normandie Seniors Housing Project, and found that the project will have no significant effect on the environment and have no adverse effect on wildlife resources. The recommended action to vacate the Easement is within the scope of the project in the previously approved EA/MND.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

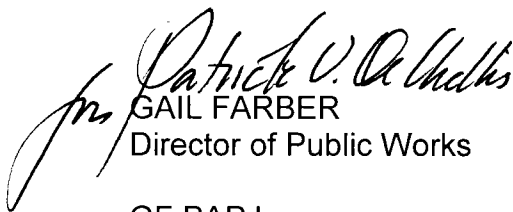
This action will allow for additional property taxes through elimination of the Easement. Existing easement rights for utility facilities will be reserved to Southern California Edison Company and Pacific Bell Telephone Company (dba AT&T California).

The Honorable Board of Supervisors  
February 24, 2009  
Page 5

**CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the Resolution to Public Works, Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

  
GAIL FARBER  
Director of Public Works

GF:PAP:hp

Attachment

c: Chief Executive Office (Lari Sheehan)  
County Counsel

**RESOLUTION TO CONDITIONALLY VACATE WITH RESERVATIONS  
A PORTION OF ALLEY EAST OF NORMANDIE AVENUE  
AND NORTH OF 105TH STREET**

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, has hereby found and determined that a portion of Alley east of Normandie Avenue and north of 105th Street in the unincorporated community of Westmont in the County of Los Angeles, State of California, legally described in Exhibit A and depicted on Exhibit B, both attached hereto, be conditionally vacated; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; and

WHEREAS, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation \_\_\_\_\_, 20\_\_\_\_; and

WHEREAS, said Board of Supervisors has found and determined that the portion of alley to be vacated is no longer necessary for present or prospective public use based upon the fact that the subject right of way is no longer required for general public access or circulation and is not useful as a nonmotorized transportation facility; and

WHEREAS, the vacation is conditioned upon the applicant complying with the following:

1. That the Community Development Commission dedicate the following to the satisfaction of County of Los Angeles (County):
  - a. Five feet of additional right of way on the south side of 104th Street (30 feet from center line).
  - b. Fifteen feet from the center line on the south side of the alley south of 104th Street, plus additional variable width right of way to accommodate the proposed knuckle.
  - c. A new alley, 28 feet wide, east of Normandie Avenue, to provide access from 104th Street to the existing alley south of 104th Street.
  - d. Vehicular access rights along the east side of Normandie Avenue.
2. Construct a new 28-foot alley east of Normandie Avenue, including drainage devices, to the satisfaction of County.
3. Construct alley widening, including the knuckle, along the existing alley south of 104th Street, to the satisfaction of County.

4. Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on streets within this subdivision.

The above conditions must be successfully met to the satisfaction of County within three years of the date this resolution is adopted by the Board of Supervisors or the vacation will terminate and become null and void.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced right of way is hereby conditionally vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights for utility facilities owned by Southern California Edison Company and Pacific Bell Telephone Company (dba AT&T California), as set forth in Section 8340 and 8341 of said Streets and Highways Code.

AND BE IT FURTHER RESOLVED that upon the satisfaction of the above conditions, Public Works be authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk, at which time the area vacated shall no longer constitute a public easement.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By  \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

JLS:hp  
P5:\M0876101\resolution

## EXHIBIT A

### ALLEY EAST OF NORMANDIE AVENUE & NORTH OF 105TH ST

A.I.N. 6060-009

T.G. 703-J5

I.M. 084-197

R.D. 233

S.D. 2

M0876101

### LEGAL DESCRIPTION (Vacation of Easement)

That portion of that certain Alley, 12 feet wide, as shown on map of ORIGINAL SUNNYSIDE, recorded in Book 7, page 171, of Maps, in the office of Registrar-Recorder/County Clerk of the County of Los Angeles; bounded on the west by a line parallel with and 10 feet easterly, measured at right angles, from the westerly line of Lot 40 of said ORIGINAL SUNNYSIDE, and bounded on the east by a line parallel with and 30 feet easterly, measured at right angles, from the easterly line of Lot 231 of Tract No. 3002, recorded in Book 31, page 39, of said Maps.

RESERVING therefrom easements and rights for utility facilities owned by Southern California Edison Company and Pacific Bell Telephone Company (dba AT&T California) in, on, over and across the above-described portion of Alley herein being vacated.

The reservations herein being made are done in accordance with the provision of Sections 8340 and 8341 of the Streets and Highways Code, State of California.

Total Area: 1,103 ± square feet

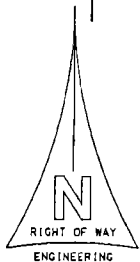
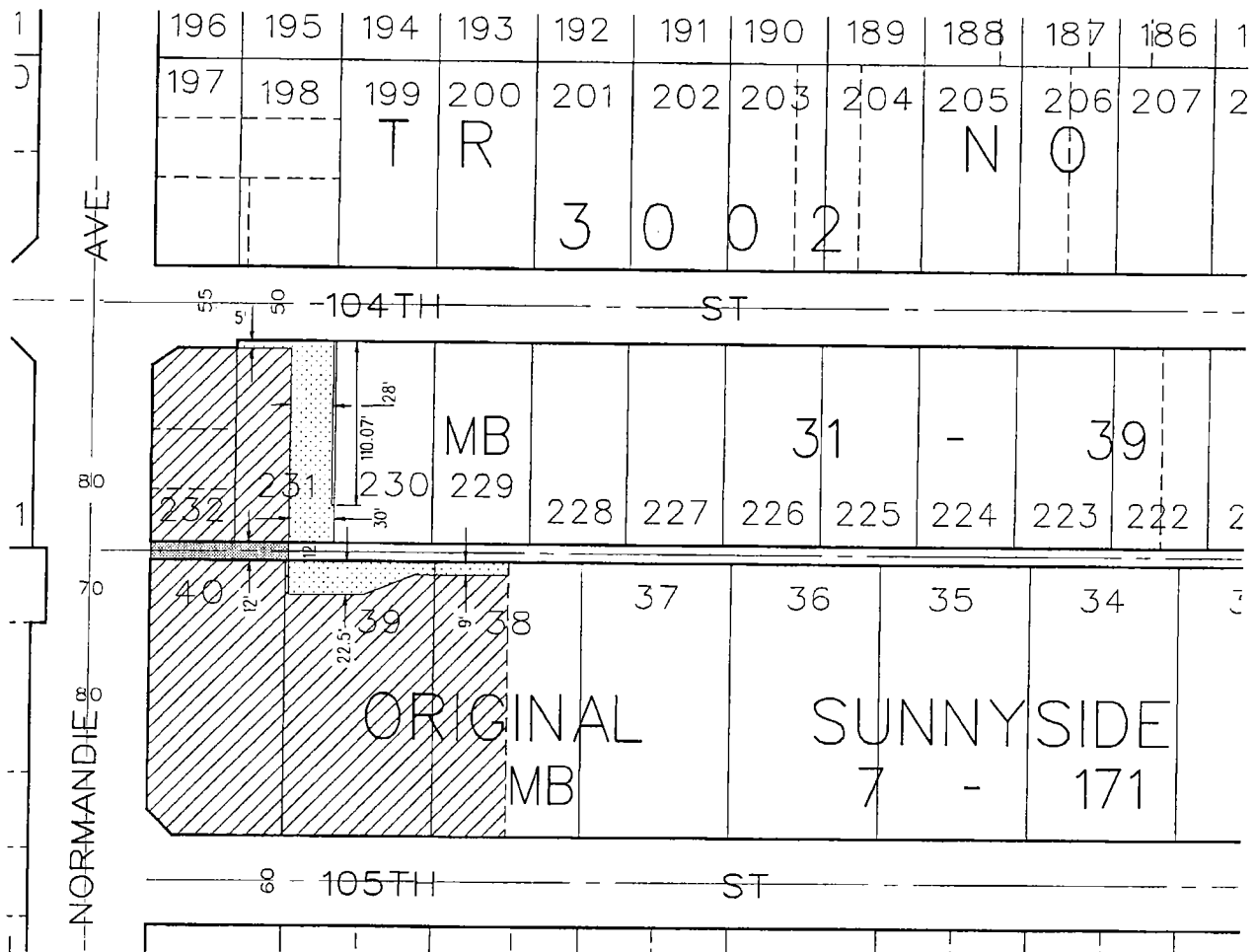
APPROVED AS TO DESCRIPTION
<u>November 20, 2008</u>
COUNTY OF LOS ANGELES
By <u><i>[Signature]</i></u>
SUPERVISING CADASTRAL ENGINEER III Mapping and Property Management Division

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California business and Professions Code.

RH:hp

P5:M0876101LegalDescrp

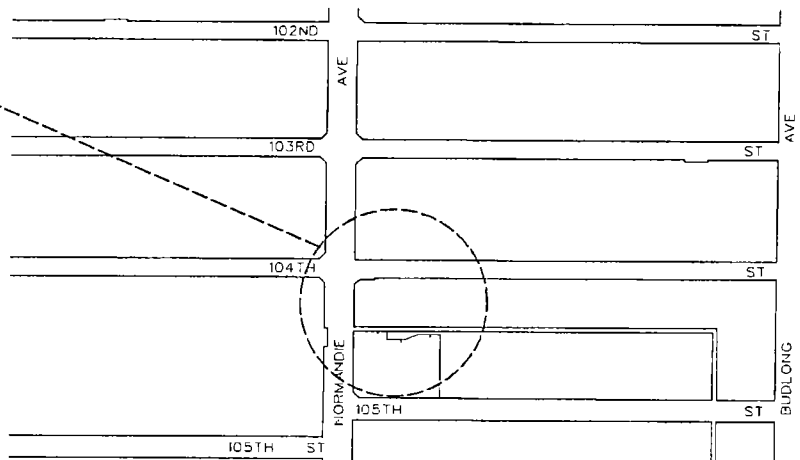




**SUBJECT  
LOCATION  
EXHIBIT B**

**LEGEND**

- Area to be vacated  
Total Area 1,103 ± s.f.
- Area to be dedicated  
Total Area 6,255 ± s.f.
- Applicant



**REVISIONS**

1. 2. 3.

**DEPARTMENT OF PUBLIC WORKS**

**MAPPING & PROPERTY MANAGEMENT DIVISION**

SD. 2 RD. 233 A.I.N. 6060-009 T.G. 703-J5

**ALLEY E/O  
NORMANDIE AVE  
& N/O 105TH ST**

**DRAWING NO.  
M0876101**

SCALE NONE DATE 10-01-07 I.M. 084-197